

CITY OF SAN DIEGO, CALIFORNIA
COUNCIL POLICY

CURRENT

SUBJECT: RETIRED SENIOR VOLUNTEER PATROL (R.S.V.P.)
POLICY NO.: 700-09
EFFECTIVE DATE: May 30, 1995

BACKGROUND:

The San Diego Police Department coordinates the operation of the Retired Senior Volunteer Patrol (R.S.V.P.) program. The objective of the R.S.V.P. program is to provide uniformed, non-enforcement services within specific geographic boundaries. Such services may include bicycle registration, business security surveys, child identification fingerprinting, clerical duties, home security inspections, safety presentations, marking abandoned vehicles, Neighborhood Watch presentations, vacation house checks and Y.A.N.A. (you are not alone) visits to shut-ins.

Individual R.S.V.P. chapters have formed public benefit corporations exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code. Such chapters have, in addition to members ("Members"), elected Boards of Directors ("Directors") and are governed by their by-laws and Articles of Incorporation.

PURPOSE:

The purpose of the R.S.V.P. program is to increase the effectiveness of crime prevention programs within specific geographic boundaries, promote community awareness of the program as a community relations tool and provide additional resources to San Diego Police Department Area Stations without significant cost increases.

MEMBERSHIP:

Membership in the nationally sanctioned R.S.V.P. program is open to anyone 55 years of age and older meeting the requirements of the program's by-laws as approved by the City Manager or his designee.

POLICY:

1. City, through San Diego Police Department, will assist in the recruitment, training and development of R.S.V.P. programs in the City of San Diego.
2. City will defend and indemnify any Member or any Director in any legal proceeding arising out of a Member's or Director's acts if all the following exist:
 - a. The act occurred while the Member or Director was engaged in R.S.V.P. program duties under the direction, control and supervision of the San Diego Police Department; and
 - b. The person seeking indemnification is a duly recognized member of a Retired Senior Volunteer

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Program (R.S.V.P.) or its Board of Directors and approved by the City Manager or the San Diego Police Department; and

c. The alleged act or omission was within the scope of duties of an R.S.V.P. volunteer as described in the San Diego Police Department, Office of Volunteer Services, Retired Senior Volunteer Patrol (R.S.V.P.), Operations Manual, published by the San Diego Police Department; and

d. The Member or Director has made a request in writing to the City for defense and indemnification within ten (10) working days of having been served legal papers; and

3. The City of San Diego may decline to represent or indemnify a Member or Director who would otherwise be entitled to defense and indemnification if any of the following circumstances exist:

a. The Member or Director does not reasonably cooperate with the City in the defense of the claim or action; or

b. The Member or Director acted or failed to act because of fraud, corruption, actual malice or bad faith; or

c. The alleged act or omission relates to a legal obligation of the Member or Director to comply with state or local conflict of interest laws, including any disclosure or disqualification requirements under the Political Reform Act of 1974 or Government Code section 1090.

4. If a Member or Director is entitled to indemnification pursuant to this policy, such indemnification shall only be for compensatory damages and shall not extend to punitive or exemplary damages.

5. In the event it is determined that a Member or Director is not entitled to, or should not receive, a defense and indemnification, the City Attorney or City Manager shall advise the City Council and the Member or Director.

6. The City provides Worker's Compensation coverage for Members and Directors injured while acting within the normal scope of their duties.

HISTORY:

"Leases to Non-Commercial, Non-Profit
Organizations in Mission Bay Park"

Adopted by Resolution R-169953 03/15/1962

Amended by Resolution R-209733 01/24/1974

Amended by Resolution R-250318 10/01/1979

Repealed by Resolution R-267274 12/15/1986

"Retired Senior Volunteer Patrol (R.S.V.P.)"

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Adopted by Resolution R-285863 05/30/1995